

1 MELINDA S. RIECHERT, State Bar No. 065504  
2 MORGAN, LEWIS & BOCKIUS LLP  
2 Palo Alto Square  
3 3000 El Camino Real, Suite 700  
Palo Alto, CA 94306-2122  
Tel: 650.843.4000  
Fax: 650.843.4001  
E-mail: mriechert@morganlewis.com

5  
6 Attorneys for Defendant  
7 BAYER CORPORATION AND  
BAYER HEALTHCARE LLC

8 MICHAEL WORTHINGTON, State Bar No. 75234  
15760 Venture Blvd., #700  
9 Encino, CA 91436  
Tel: 818.907.1696  
Fax: 818.908.1127  
10 E-mail: mworthington@intlawctr.com

11 Attorneys for Plaintiff  
12 NANCY PINOLI

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

16 NANCY PINOLI,  
17 Plaintiff,  
18 vs.  
19 BAYER CORPORATION, BAYER  
20 HEALTHCARE LLC, and DOES 1-30,  
inclusive,  
21 Defendant.

Case No. C06-07253 PJH

**STIPULATION AND [PROPOSED]  
ORDER TO DISMISS BAYER  
CORPORATION AND NAME BAYER  
HEALTHCARE LLC AS EMPLOYER**

23 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), Plaintiff Nancy Pinoli  
24 (“Plaintiff”) and Defendants Bayer Corporation and Bayer Healthcare LLC, (collectively,  
25 “Defendants”), by and through their respective counsel, file this stipulation:

26 WHEREAS Defendant Bayer HealthCare LLC is Plaintiff’s former employer and the  
27 proper defendant in this action, not Bayer Corporation;

28 WHEREAS dismissal of Defendant Bayer Corporation from the above-titled case is

1 appropriate;

2 IT IS HEREBY STIPULATED by Plaintiff and Defendants that Defendant Bayer  
3 Corporation is hereby voluntarily dismissed from this lawsuit with prejudice. Plaintiff and  
4 Defendants further stipulate to amending the complaint as attached hereto reflecting such  
5 dismissal.

6 IT IS SO STIPULATED.

7  
8 Dated: April 2, 2007

MORGAN, LEWIS & BOCKIUS LLP

9  
10 By Melinda S. Riechert /s/  
11 Melinda S. Riechert

12 Attorneys for Defendants  
13 BAYER CORPORATION AND  
14 BAYER HEALTHCARE LLC

15 Dated: March 21, 2007

MICHAEL WORTHINGTON

16  
17 By Michael Worthington /s/  
18 Attorneys for Plaintiff  
19 NANCY PINOLI

20  
21 [PROPOSED] ORDER

22  
23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24  
25 Dated: 4/3/07

26 Honorable Phyllis  
27 UNITED STATES

28 IT IS SO ORDERED  
Judge Phyllis J. Hamilton

STIPULATION AND [PROPOSED] ORDER TO DISMISS  
BAYER CORPORATION AND NAME BAYER  
HEALTHCARE LLC AS EMPLOYER (C06-07253 PJH)